THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9431 of 2007

Dated:30.04.2007

Between:

Smt.Bhanu Bee.

…Petitioner

and

The Government of Andhra Pradesh and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9431 of 2007

ORDER:

The petitioner allegedly purchased the land admeasuring 200 square yards and house bearing No.10-6-103/1, Shivashankar colony of Fathe Nagar in Hyderabad, under registered sale deed dated 15.01.1974. Since purchase, the petitioner was in possession. She alleges that M/s.N.Sudhakar Reddy and C.Satyam had been intimidating her for not selling the property to them for nominal price. Ultimately on 20.05.2004 both of them forcibly evicted the petitioner, and grabbed the land and house. The petitioner then filed O.S.No.884 of 2004 on the file of the Court of the Principal Junior Civil Judge (West & South), Ranga Reddy District. Subsequently, after withdrawing the suit, she filed
L.G.O.P (Sr) No.12903 of 2005 on the file of the Court of the Special Tribunal-cum-District Judge constituted under the Andhra Pradesh Land Grabbing (Prohibition) Act, 1982, against Sudhakar Reddy and Satyam. Learned Tribunal called for the report from the Mandal Revenue Officer, who did not submit the same. The petitioner alleges that the Mandal Revenue Officer in collusion with the land grabbers is not submitting the status report, and therefore, she filed the instant Writ Petition seeking a writ of mandamus directing the respondents to submit status report as per sub rules (2) to (4) of Rule 6 of the Andhra Pradesh Land Grabbing (Prohibition) Rules, 1988, and award costs of Rs.5,00,000/- against the second respondent for failure to submit the status report.

Admittedly the L.G.O.P filed by the petitioner in 2005 is pending before the learned Special Tribunal-cum-District Judge. When the matter is pending there, for getting the formalities completed to enable the learned Tribunal to proceed with the case, the petitioner cannot seek a writ of mandamus as prayed for. The petitioner's remedy is to approach the same Tribunal and seek

redressal. If the petitioner's allegation that the second respondent in collusion with the land grabbers (who are respondents in the L.G.O.P) is not sending status report, it is always open to the learned District Judge to take appropriate action in the matter.

The Writ Petition is misconceived, and is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

30.04.2007
vs